Marketing of fake consumer goods

2385. DR. C. NARAYANA REDDY: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that a number of fake consumer goods are being marketed in the country on a large scale;

(b) if so, the stringent measures taken to control the menace; and

(c) whether Government would contemplate any long term strategy to curb the practice?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI V. SREENIVASA PRASAD): (a) to (c) The Trade & Merchandise Marks Act, 1958 which deals with the registration and licensing of trade marks seeks to protect the intellectual poverty inherent in a trade mark and includes provisions for safeguarding the rights of the registered trade mark owner through various provisions which need to be agitated in the civil/criminal court. However, the onus of seeking to protect his right lies entirely upon the registered holder of trade mark. Further, standards of quality of various consumer goods are notified by different agencies under different laws. For instance, Ministry of Health & Family Welfare (Department of Health) notify standards of quality of various articles of food under the Prevention of Food Adulteration Rules, 1955, compliance to which is mandatory. Similarly, the Bureau of Indian Standards (BIS) is notifying quality standards for various items including consumer goods. Conformance to such standards is voluntary unless made mandatory under any law. Conformance to standards notified by BIS has been made mandatory in respect of some products. Such products are required to carry the BIS Standards Mark (ISI) which can be used by manufacturers licensed to do so by the BIS. Cases of spurious ISI mark which come to the notice of BIS are investigated and prosecution launched in suitable cases. During the three years 1999-2000 to 2001-2002, BIS launched prosecution in 53 cases for alleged misuse of the BIS standards mark.